

STATE PROPERTIES COMMITTEE

Tuesday, October 26, 2004

The meeting of the State Properties Committee was called to order at 10:06 A.M. by Chairman Jerome F. Williams. Other members present were, Genevieve Allaire Johnson, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration and Representative John J. McCauley, Jr. Also present were, Mr. John Ryan, from the Department of Administration; Messrs. Paul Carcieri, Andrew Cardillo, Daniel Clarke, and Marc Mulkasian, from the Department of Transportation; Ms. Lisa Primiano and Deborah George, Esquire, from the Department of Environmental Management; Mr. Francis Parisi from TCP Communications; Mr. Richard DelFino, from the Department of Corrections; and, Mr. Thomas E. Hodge, from the Office of the Auditor General.

The Minutes of the meeting held on October 12, 2004 were approved.

1. OLD BUSINESS
2. NEW BUSINESS – Miscellaneous - The next meeting of the State Properties Committee is scheduled to be held on Tuesday, November 9, 2004.

ITEM A – DEPARTMENT OF MENTAL HEALTH, RETARDATION & HOSPITALS – A request was made by the Department for final approval and signatures on Agreement transferring property located at 80 Summit Street, Pawtucket, to the Northern Rhode Island Community Mental Health Services.

At the request of the Department, this item was deferred to November 9, 2004.

ITEM B – DEPARTMENT OF CORRECTIONS – Adult Probation and Parole Office - A request was made by the Department for final approval and signatures on Lease Agreement for office space located at 1 Joyce Street, Warren.

The Department was requesting approval and signatures on a Lease Agreement for office space for its Adult Probation and Parole Office. This space is located in the East Bay Government Center located at 1 Joyce Street in Warren. This space consists of 1,674 square feet. The Lease is inclusive and includes janitorial, utilities, parking and snow and ice removal. There is a good cancellation clause in the event the Department chooses to move within the next five (5) years. The rate for the Lease is \$9.44 per square foot for the first year and increases two (2%) percent each year until the final year, year five (5), which would be at rate of \$10.21 per square foot.

The Police Department is located in the same building. There is a great deal of information sharing between the two Departments and the relationship has been a good one. The current rate of rent is \$9.25 per square foot.

A Motion was made by Mr. Robert Griffith and seconded by Ms. Genevieve Allaire - Johnson to approve the request of the Department for final approval and signatures on Lease Agreement for office space located at 1 Joyce Street, Warren.

Passed Unanimously

Representative McCauley joined the meeting at 10:10 A.M.

ITEM C – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on Agreement with TCP Communications, Inc., and CIT Lending Services Corporation in connection with Indenture of Lease with National Tower, LLC assigned to TCP Communications relative to a telecommunications facility at George Washington Management Area on Putnam Pike, Gloucester.

The Department requested approval and signatures on a Tripartite Agreement among TCP Communications, Inc., CIT Lending Services Corporation and the State of

Rhode Island, Department of Environmental Management. This is in connection with Indenture of Lease between National Tower, LLC and the Department dated August 19, 2003, assigned to TCP Communications December 8, 2003 relative to a wireless telecommunications facility at George Washington Management Area on Putnam Pike in Glocester. This Agreement is in connection with financing that TCP communications is receiving from CIT Lending Services Corporation. As security for the loan, CIT Lending required a mortgage on the leasehold interest of TCP Communications for the property at George Washington Management Area and execution of the Agreement by the State. This agreement will ensure that the State is protected. This is the same type of document that the Department has used in the Galilee leases.

A Motion was made by Representative McCauley and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on Agreement with TCP Communications, Inc., and CIT Lending Services Corporation in connection with Indenture of Lease with National Tower, LLC assigned to TCP Communications relative to a telecommunications facility at George Washington Management Area on Putnam Pike, Glocester.

Passed Unanimously

ITEM D – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on Purchase and Sales Contract with Emil Vale for acquisition of land in Foster.

This is for acquisition of 113 acres of land in Foster. The property provides a final major link with the Ponagansett River Greenway Corridor, between the 124 acre Hayfield property, which is protected by an easement held by the Department, a 100 acre preserve held by the Audubon Society of Rhode Island, the Franklin property, 31 acres of

riverfront land purchased by the Department in 2000 and the Gorham property consisting of 72 acres of land purchased by the Department in 2003. Other protected land parcels include the Foster Land Trust's 100 acre Spencer property and two Department fishing access sites. The Department has been negotiating with the property owner for this property for several years. The parcel is located in the Scituate Reservoir watershed which provides the major source of drinking water for Rhode Islanders who rely on public water supply. The purchase price is \$352,000.00. The appraised value is \$315,000.00. The owner did not want to sell. The property had listed for \$499,000.00. After the appraisal and years of negotiations, the Department was able to acquire this property for \$352,000.00. Funding will come from the Department's Open Space Bond Program in the amount of \$202,000.00 and The Nature Conservancy will contribute \$150,000.00 for the acquisition. The property will be used by the public for fishing and for passive recreational purposes.

A Motion was made by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson to approve the request of the Department for approval and signatures on Purchase and Sales Contract with Emil Vale for acquisition of land in Foster.

Passed Unanimously

ITEM E – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for conceptual approval to convey property on Simmonsville Avenue and Atwood Avenue, Johnston.

This property consists of 2,441 square feet of land at the corner of Simmonsville Avenue and Atwood Avenue, in Johnston. The Department was approached by Mr. Stephen Mallane, an abutter, to acquire this property for parking. This property was acquired originally by condemnation. A memo was received from Mr. Kevin J. Nelson

from the Statewide Planning program stating that conveyance of this parcel did not appear to conflict with any State Guide Plan elements and that notification of the proposed transaction was sent to the municipal planner for comment as to conformance with the Community Comprehensive Plan, with no response.

A Motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for conceptual approval to convey property on Simmonsville Avenue and Atwood Avenue, Johnston.

Passed Unanimously

ITEM F – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for conceptual approval to convey property on Atwood Avenue, Johnston.

This property consists of 1,610 square feet of land on Atwood Avenue, in Johnston. The Department was approached by Mr. Anthony Ricci, an abutter, to acquire this property to erect a fence in order to prohibit traffic from entering his driveway from the abutting parcel. This property was acquired originally by condemnation. A memo was received from Mr. Kevin J. Nelson from the Statewide Planning program stating that conveyance of this parcel did not appear to conflict with any State Guide Plan elements and that notification of the proposed transaction was sent to the municipal planner for comment as to conformance with the Community Comprehensive Plan, with no response.

A Motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for conceptual approval to convey property on Atwood Avenue, Johnston.

Passed Unanimously

ITEM G – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for conceptual approval to convey property at the corner of Pearl Street, West Avenue and Grace Street, Pawtucket.

This property consists of 2,200 square feet of land at the corner of Pearl Street, West Avenue and Grace Street, Pawtucket. The Department was approached by John and Maria Alves, abutters, to acquire this property for vehicle parking and to erect a fence to prohibit other vehicles from parking on their land. This property was acquired originally by condemnation. A memo was received from Mr. Kevin J. Nelson from the Statewide Planning program stating that conveyance of this parcel did not appear to conflict with any State Guide Plan elements and that notification of the proposed transaction was sent to the municipal planner for comment as to conformance with the Community Comprehensive Plan. Mr. Nelson's memo also indicated that Mr. Michael Cassidy Director of the Pawtucket Department of Planning and Redevelopment responded that the request would be in compliance with the Comprehensive Plan provided the parcel is emerged with the existing lot and used only for parking or outbuildings.

A Motion was made by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson to approve the request of the Department for conceptual approval to convey property at the corner of Pearl Street, West Avenue and Grace Street, Pawtucket.

Passed Unanimously

ITEM H – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on License Agreement with 155 Clifford Street, LLC use of state owned property adjacent to 155 Clifford Street, Providence.

This License would allow 155 Clifford Street, LLC to use 1,323 square feet of State owned land located behind an office building in downtown Providence that the

tenant owns and operates. Rent was calculated at \$314.00 per month. This was derived from an internal appraisal, using the income approach. The License is for a three (3) year term commencing October 1, 2004 and terminating September 30, 2007.

A Motion was made by Mr. Griffith and seconded by Representative McCauley, to approve the request of the Department for approval and signatures on License Agreement with 155 Clifford Street, LLC use of state owned property adjacent to 155 Clifford Street, Providence.

Passed Unanimously

ITEM I – DEPARTMENT OF TRANSPORTATION –A request was made by the Department for approval and signatures on License Agreement with The Rhode Island School of Design for use of a portion of RiverWalk on South Main Street, Providence.

This License Agreement is for the purpose of allowing the Rhode Island School of Design (RISD) to erect an 800 square foot home exhibit on a portion of the RiverWalk in Providence. This is part of the U.S. Department of Energy's Solar Decathlon. The exhibit will be built by students beginning in October 2004 under the guidance of several Professors of Architecture and will be open to the public at no charge by June 2005. The home will remain in place until next September when members of the Rhode Island National Guard will transport it to Washington, D.C. for the international competition on the grounds of the Smithsonian Institute. RISD will maintain full security. The Department has worked in conjunction with the Rhode Island Airport Corporation because the site is near the heliport. RISD will provide reflective tape at the top of the temporary construction fence. It will move the construction fence more than 70 feet away from the center of the helicopter pad. RISD will change the construction fence to

chain-link in order to allow the wind generated from a helicopter to pass through the fence. RISD will provide security lighting. In addition, RISD will invite the RI Airport Corporation to inspect the fence once constructed and ask that they inspect the fence on a regular basis. The RI Airport Corporation will let the Department know when the helicopters will be using the pad. RISD will list the RI Airport Corporation and the Department as additional insured. The number of students on site at any one time will be ten.

Ms. Allaire Johnson inquired about the conditions placed on RISE and stated that they were not incorporated in the License Agreement. She asked if there was a separate agreement. Discussion took place and it was decided that this matter could be approved subject to a new License Agreement being drafted with additional language covering the conditions set forth in the letter to David J. Sasso, dated September 30, 2004, to the Department the Department of Transportation from Jonathan Knowles, RA, RISD, Adjunct Professor of Architecture. When the new document is drafted, the Committee will sign the document.

A Motion was made by Ms. Allaire Johnson and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on License Agreement with The Rhode Island School of Design for use of a portion of RiverWalk on South Main Street, Providence. Approval was granted subject to a new License Agreement being drafted with additional language covering the conditions set forth in the letter to David J. Sasso, dated September 30, 2004, to the Department the Department of Transportation from Jonathan Knowles, RA, RISD, Adjunct Professor of Architecture.

Passed Unanimously

The Chair, Mr. Williams asked the Department to contact RISD to determine if they have followed up with the City of Providence to ensure that the City has no issues with this Solar Decathlon Project.

All matters presented to the Committee were approved by all present.

There being no further business to come before the Committee, the meeting adjourned at 10:40 A.M.

Anne L. Lanni, Executive Secretary